Technology Trust Fund

FY22
TTF BUDGET
MANUAL

Compensation Board & Circuit Court Clerks

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<u>Do I need to review the FY22 TTF Budget Manual to successfully complete the budget process?</u> You may be able to complete the budget process without any help at all; however, the budget manual has been developed to answer almost any question you may have and we recommend reviewing the manual to assist you in completing your budget request before contacting Compensation Board staff for assistance.

<u>Do I need to contact my technology vendor prior to completing the TTF budget request process in August?</u>

Prior to completing the budget request process in August, Clerks need to obtain from their technology vendor an estimate or breakdown of their technology needs for the current fiscal year. This information is vital in preparing a TTF budget.

Can I see my \$4 available funding before I start the budget process? Yes, you access the Compensation Board website at http://www.scb.virginia.gov under the tab Land Records Technology for FY22 TTF \$4 Available Funds. In March 2021, an estimate of the FY22 TTF \$4 available funding was provided and is located on the Compensation Board website under the tab Constitutional Officers Budgets and Salaries / FY22 Budget Estimates / choose locality and select Clerks Technology Trust Fund Revenue Estimates.

<u>Do I need to print my TTF screens?</u> You may print the FY22 screens for your own records should that be helpful for you later. However, it would also be helpful to re-print the FY21 Budget Request screens <u>prior</u> to entering requests in FY22. Changes may have been made to the FY21 Budget Request screen you printed last year by Compensation Board Staff during the approval process. By printing FY21 Approved Budget Request screens prior to entering your FY22 Budget Requests you may avoid questions regarding your request later and possibly the same questions asked last year.

What does it mean when I certify "Yes" to providing secure remote access (SRA) to land records? Indicating YES to SRA to land records means that ALL of the following is TRUE:

- √ The Clerk's technology vendor has established a website or system in compliance with the security standards established by the Virginia Informational Technologies Agency (VITA) for the purpose of providing SRA to land records' images;
- √ The Clerk has established a process whereby the public (non-governmental entity or individual) may register for subscription to the SRA to land records, and if approved by the Clerk, sign a subscription agreement, may pay a subscription fee and receive a security password(s) for remote access to electronic land records;
- ✓ The Clerk has accepted / is willing to accept public subscribers to SRA to land records; and
- ✓ The Clerk has made the **public aware** of the availability of SRA to land records (as appropriate).

How do I create line items in my TTF \$4 budget? Required fields for a \$4 request are:

- SEL The SEL field allows 1 character.
 - A to add a new line item;
 - U to <u>update</u> a line item that has already been entered; or
 - D to delete a line item that has already been entered.
- **Vendor** Enter your locality, Supreme Court or private vendor to indicate the provider of the requested equipment or services. The Vendor field allows 20 characters.

- Line Item Description Line item descriptions should be specific and concise. Duplicate line item descriptions are not allowed. The Line Item Description field allows 20 characters.
- **Description Code –** The Description Code field allows 2 characters.
 - o **B** for back scanning or conversion services;
 - E for equipment and/or software;
 - MR for maintenance of records system;
 - MS for maintenance of Secure Remote Access:
 - R for redaction services; or
 - O for other / miscellaneous services.
- Purpose Code The Purpose Code field allows 1 character.
 - o L for land records requests or
 - N for areas of the court not related to land records.
- Total Cost Enter a total cost for each line item request. The Total Cost field allows 11 characters.

Am I eligible to request money from the \$1 Fund budget during the TTF August budget period? Clerks may request money from the \$1 Fund (Option 7) provided their \$4 available funding is fully budgeted AND <u>no</u> Purpose Code N request was made from \$4 money. Clerks who have low levels of \$4 available funding have priority for approval from the \$1 Fund. At the September Board meeting, the Compensation Board will consider all requests for \$1 Fund monies on a case-by-case basis for consistency with Code requirements. Required fields for a \$1 Fund budget are EXACTLY the same as those for a \$4 budget with these exceptions:

- Description Code O (for other / miscellaneous services) is not available from the \$1 Fund.
- Purpose Code N (for areas of the court not related to land records) is not available from the \$1 Fund.

<u>Can I request TTF money for redaction services?</u> Clerks may request \$4 or \$1 Fund money to purchase back file or day forward redaction services from a vendor. All redaction requests require additional documentation: 1) quote from the Clerk's redaction vendor AND 2) Redaction Form (located at the end of the Appendix in the FY22 Budget Request Manual, or at www.scb.virginia.gov under the tab Land Records Technology). See the FAQ below for the information that must be included on the vendor quote and redaction form. Fax the quote and form to the Compensation Board, to the attention of Star Puaauli, (804) 371-0235. Requests for redaction services will NOT be considered if unaccompanied by the information outlined below.

What information does the Compensation Board require to approve a redaction request? The Compensation Board requires the following information on the redaction quote from the vendor AND the Redaction Form (see above FAQ). These recommendations come from *Methods for the Redaction of Social Security Numbers form Electronic Land Record Documents Report* (October 2006) by the VITA Redaction Workgroup.

- 1. Back File or Day Forward Redaction.
- 2. **Type of Redaction.** The recommended redaction method is the OCR (Optical Character Recognition) software plus one manual review by a trained technician who provides a quality control measure (OCR + 1X). Other types of redaction include a software-only purchase and software plus a double manual review (OCR + 2X).
- 3. **Cost per Image.** The maximum cost of OCR + 1X method of redaction is 4 cents or less per image. The same cost applies to day-forward redaction services.
- 4. **Total Cost.** The total cost for all types of images.
- 5. **Type of Image.** Types of land records' images include deeds / deeds of trust, wills / fiduciary, judgments / liens, financing statements, and plats / maps (Purpose Code L). Images dealing with areas of the court not related to land records include marriage licenses and civil / criminal court cases (Purpose Code N).
- 6. **Number for each Type of Image.** The number of images expected to be redacted for each type of image (5) listed above. If applicable, the number of Purpose Code N images expected to be redacted.
- 7. **Span of Years for each Type of Image.** Back-file redaction covers the period of January 1935 to the present. Day forward redaction may include the current fiscal year or one or more years in the future.
- 8. **Accuracy Rate.** The Workgroup recommended at least a 95% accuracy rate or greater for the OCR + 1X redaction method.
- 9. **Manual Review.** Ask your vendor if the manual review (+ 1X) applies only to the images flagged by the OCR software or if every image is reviewed by the human eye.

Your technology vendor has the above information. This information must be provided to the Compensation Board in the form of redaction quote and FY22 Redaction Form. Redaction requests are not considered valid unless accompanied by the above information. Note that if the request for back file or day forward redaction represents a future period, it is acceptable for the number of images to be estimated based upon a reasonable review of historical annual activity.

Additional charges for training, installation, and maintenance must be incorporated into the 4 cents or less per image cost. Redaction line item requests in TTF budgets, because they require additional information, should not be intermingled with other TTF equipment and/or services requests. Redaction funding may not be used for any other purpose.

<u>Can I request TTF money for areas of my court not related to land records?</u> Pursuant to 17.1-279 B, *Code of Virginia*, Clerks may request \$4 money for areas of their court other than land records (Purpose Code N requests). Pursuant to the Code of Virginia, the Compensation Board may not approve Purpose Code N requests from the \$1 Fund. If the Compensation Board approves a Purpose Code N request from \$4 money, NO \$1 Fund requests from the Clerk will be considered for the remainder of the fiscal year.

<u>Does the Compensation Board require a RFP process / multiple bids from TTF vendors?</u> The Compensation Board does not involve itself with the locality's RFP / bidding process for purchased goods and services. In dealing with TTF vendors, Clerks must follow their specific locality's procurement guidelines and comply with State law.

Does TTF pay for personnel in the Clerk's office? As directed in § 17.1-279 B, Code of Virginia, funds may not be used for personnel costs within the Circuit Court Clerks' offices. TTF cannot fund staff to ease workload conditions in either the land records area or areas of the Clerk's office not related to land records. TTF may reimburse a vendor for services such as back scanning court records because it is directly related to the stated purpose of TTF: automation and technology improvements for SRA to land records. The vendor must be someone other than the Clerk's office and the employee must have clearly defined work hours that relate directly to the TTF purpose; however, a vendor may be the locality if the locality is providing such TTF services to the Clerk's office.

In September, what will the Compensation Board consider in approving the FY22 TTF budget requests? The Code of Virginia set the deadline for providing SRA to land records on or before July 1, 2008. In approving TTF budgets, the Compensation Board will be looking for line items that show a Clerk's ongoing commitment to providing SRA to land records and the accompanying equipment, services and maintenance costs associated with SRA. Clerks who do not submit a certification for providing SRA to land records (Option 2 on the TTF Main Menu in COIN) will receive no allocation from TTF.

Can I get help if I am having technical problems completing my TTF budget? Email Star Puaauli at star.puaauli@scb.virginia.gov or Bill Fussell at william.fussell@scb.virginia.gov if you are experiencing technical problems and are unable to complete your TTF budget. Attempt to complete your TTF budget as early in the month of August as possible. The final week of August is extremely busy for Compensation Board staff involved in the TTF budget process.

When is the last possible date to complete my FY22 TTF budget in COIN? Midnight, August 31, 2022 is the deadline, but do not wait until the last week of August to begin the TTF budget process. If you have problems, you will get timelier customer service in the first half of August than in the second half.

When do I receive my TTF funds? TTF is a REIMBURSEMENT system and therefore no different than your monthly office expenses reimbursement process. The Code of Virginia, § 15.2-1636.13, provides: 1) the local governing body must first appropriate all funds for expenditure, 2) the expense is incurred, 3) the locality pays the expenditure and 4) reimbursement is requested from the Commonwealth, in that order. TTF does not prepay technology expenses. On a monthly basis, TTF reimbursement may not exceed 50% of the budgeted amount or the total available cash, whichever is greater. On the reimbursement screen each month COIN will show the TTF \$4 available cash. \$4 available cash is the prior-year unbudgeted and unexpended cash plus the current year-to-date cash collections. Upon making a reimbursement request in COIN, the Clerk must certify the same statement as for all other office expenditures: that expenditures listed are those actually incurred in the conduct of official business of the Clerk of the court and that invoices covering these expenditures have been submitted to locality for payment. The locality representative must also certify that expenditures have been verified and approved for payment. Contact Star Puaauli at star.puaauli@scb.virginia.gov for questions involving TTF reimbursement.

Do \$4 and \$1 Fund monies carry over from one fiscal year to the next? FY22 \$4 cash collections that exceed reimbursements will carry over to FY22. Unbudgeted and unexpended \$4 cash will carry over. Line item descriptions will not carry over from year to year. Clerks must create a new TTF budget with new line items every August. Unexpended \$1 Fund monies will not carry over, as \$1 Fund allocations are dependent upon the level of current-year incoming collections and budgeted amounts based on projected collections cannot be guaranteed.

What if I decide to change my TTF budget mid-year? If your TTF budget needs a mid-year change, consult the FY22 TTF Mid-Year Docket / Non-Docket Request Packet on the Compensation Board website located at http://www.scb.virginia.gov under the tab Land Records Technology. You must determine whether your mid-year change requires docket action or is a non-docket request. Contact Star Puaauli if you have questions about mid-year TTF budget changes. The Compensation Board does not guarantee access to unbudgeted \$4 funds mid-year. Decisions regarding mid-year access to unbudgeted \$4 monies are made on a case-by-case basis. Contact Star Puaauli for questions regarding a mid-year docket or non-docket request at star.puaauli@scb.virginia.gov.

What is the deadline for FY22 Mid-Year Docket / Non-Docket Requests? FY22 TTF Docket requests (asking for additional \$4 funds) and Non-Docket requests (transferring funds between budget line items or changing the vendor name / item description) must be submitted to the Compensation Board for approval by the Executive Secretary not later than May 15, 2022. Contact Star Puaauli for questions regarding a mid-year docket or non-docket request at star.puaauli@scb.virginia.gov or william.fussell@scb.virginia.gov.

What is the deadline for TTF Reimbursement in FY22? The May Payroll / Expense Reimbursement Period in the third week of May, 2022. Contact Star Puaauli at star.puaauli@scb.virginia.gov or Bill Fussell at william.fussell@scb.virginia.gov for questions involving TTF reimbursement.

Purpose Codes and Description Codes

Two Purpose Codes (L and N) are available to budget for \$4 equipment and services; Purpose Code N is NOT available to budget from the \$1 Fund:

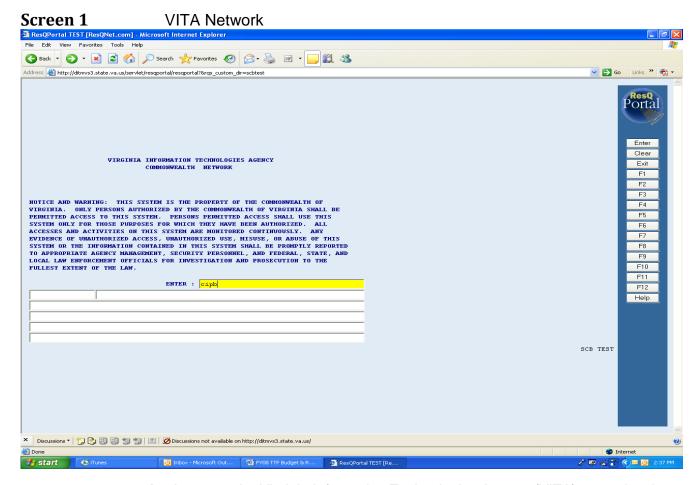
L = land records

0

N = areas of the court not related to land records (not available in \$1 Fund budgeting)

Other miscellaneous services (not available in \$1 Fund budgeting)

§ 17.1-279, Section B, Code of Virginia						
ВІ	Developing and updating individual land records automation plans for individual circuit courclerks' offices;					
	Description Codes					
В	Back scanning or conversion services					
E	Equipment (hardware and software)					
MR	Maintenance services for records management system					
MS	Maintenance services for secure remote access					
R	Redaction services for social security numbers					



VITA Network → Logon to the Virginia Information Technologies Agency (VITA) network using one of three methods:

- VITA Mainframe via locality networks; or
- · Compensation Board web site Restricted Access; or
- VITA access via Supreme Court of Virginia (Clerks only).

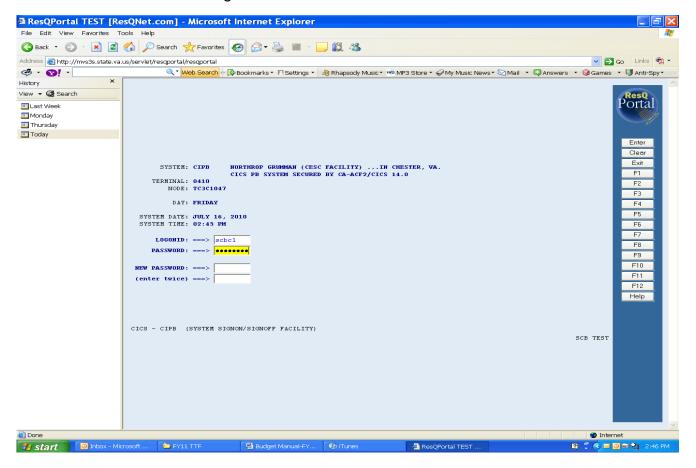
Screens from the former ResQ Portal are shown in this manual.

COIN Production Region → Enter the four-letter code, **cipb** to logon to the COIN Production Region.

Do NOT use logon **cidc**, the testing region.

Continue → Press **ENTER** to continue the logon process.

Screen 2 COIN Logon ID and Password



COIN Logon → ID

Enter your Logon ID, an alpha-numeric code supplied by the Compensation Board. The first three characters of your ID are alphabetic.

This is a required field.

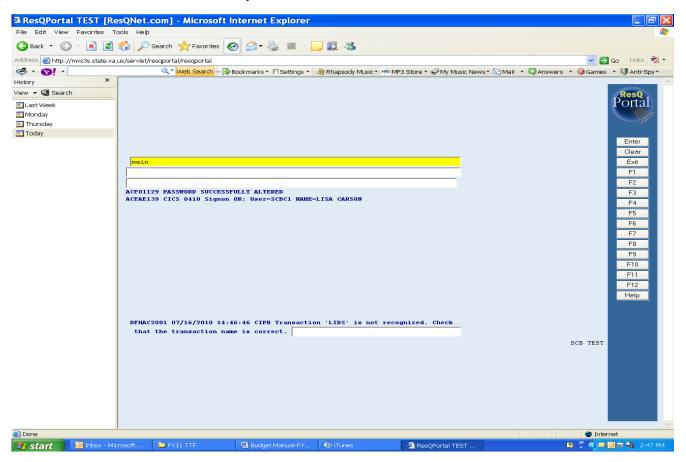
COIN Password → Enter your password. If your password has expired, contact the Compensation Board to reset your password at (804) 786-0786. If you have a logon supplied by your locality and not the Compensation Board, then you must contact your locality's security officer to reset your password.

This is a required field.

Continue

Press ENTER to continue the logon process.

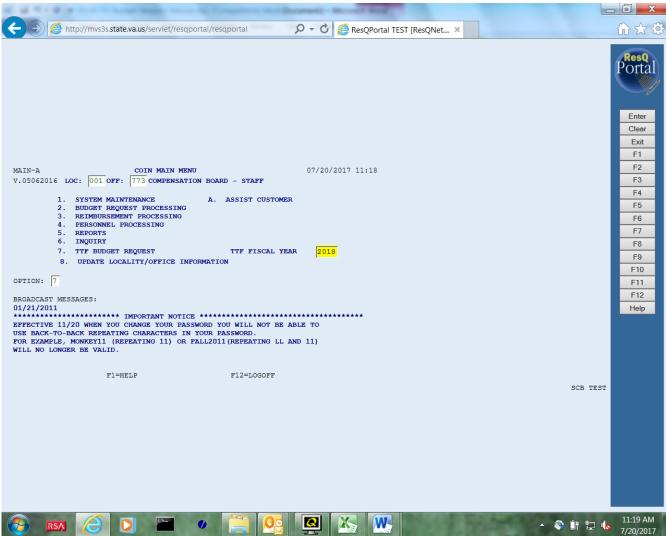
Screen 3 COIN Last System Access



COIN Main Menu

- → Enter the four-letter code main as the last system access to the COIN Main Menu.
- **Continue** → Press **ENTER** to continue the logon process.

Screen 4 COIN Main Menu



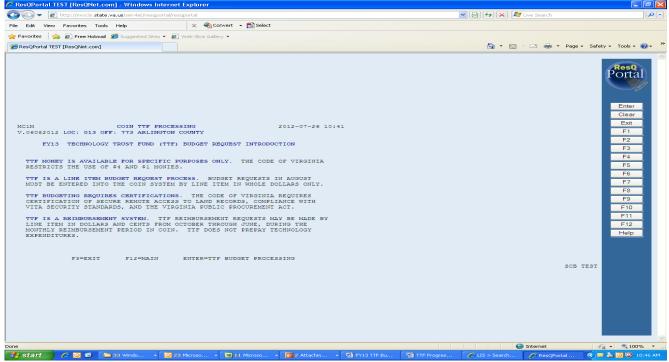
TTF Budget Request → On the COIN Main Menu, Enter 7 to choose the TTF Budget Request.

TTF Fiscal Year → **FY 2022** is the default fiscal year on the TTF Budget Request Main Menu. You may view a previous fiscal year by changing the supplied year.

Continue

→ Press **ENTER** to continue to the TTF Budget Request Main Menu.

Screen 5 FY22 Technology Trust Fund (TTF) Budget Request Introduction



TTF

Please review the FY22 TTF Request Introduction screen prior to TTF budgeting:

Introduction

TTF MONEY IS AVAILABLE FOR SPECIFIC PURPOSES ONLY. THE CODE OF VIRGINIA RESTRICTS THE USE OF \$4 AND \$1 MONIES. TTF was established to finance automation and technology improvements in the Clerk's office in order to provide secure remote access (SRA) to land records.

TTF IS A LINE ITEM BUDGET REQUEST PROCESS. BUDGET REQUESTS IN AUGUST MUST BE ENTERED INTO THE COIN SYSTEM BY LINE ITEM IN WHOLE DOLLARS. Required fields for \$4 and \$1 Fund budgeting are: SEL, Vendor Name, Item Description, Description Code, Purpose Code, and Total Cost.

TTF BUDGETING REQUIRES CERTIFICATIONS. THE CODE OF VIRGINIA REQUIRES CERTIFICATION OF SECURE REMOTE ACCESS TO LAND RECORDS, COMPLIANCE WITH VITA SECURITY STANDARDS, AND VIRGINIA PUBLIC PROCUREMENT ACT.

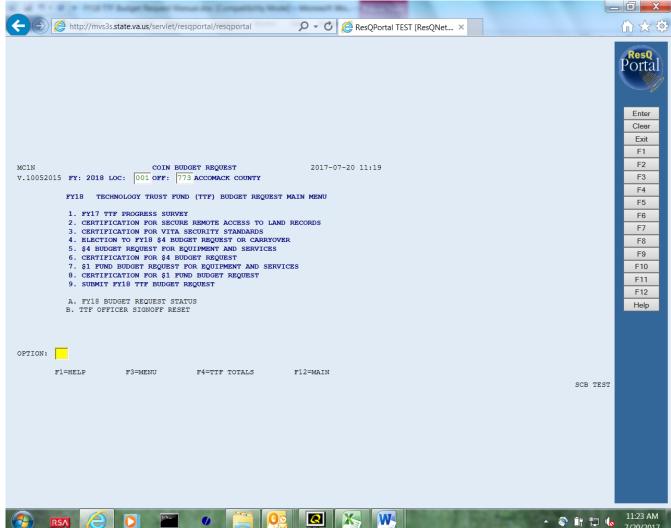
TTF IS A REIMBURSEMENT SYSTEM. TTF REIMBURSEMENT REQUESTS MAY BE MADE BY LINE ITEM IN DOLLARS AND CENTS FROM OCTOBER THROUGH MAY, DURING THE MONTHLY REIMBURSEMENT PERIOD IN COIN. TTF DOES NOT PREPAY TECHNOLOGY EXPENDITURES. Clerks must incur the expense of technology equipment and services before they seek reimbursement from TTF.

For questions about TTF Budgeting, contact Star Puaauli at star.puaauli@scb.virginia.gov

Continue

→ Press **ENTER** to proceed to the TTF Main Menu.

Screen 6 FY22 TTF Budget Request Main Menu



TTF Main Menu

→ The nine (9) selections on the FY22 TTF Budget Request Main Menu are:

Option 1 – The TTF Progress has been deactivated for FY22 reporting/FY22 Budget Request Process. Please press F3 to return to the Main Menu for Selection 2: Certification for Secure Remote Access to Land Records to continue the FY22 TTF Budget Request Process.

Option 2 - Certification for Secure Remote Access to Land Records. Certify YES or NO to currently providing SRA to land records' images to public (non-governmental) subscribers.

Option 3 - Certification for VITA Security Standards. Certify YES or NO to compliance with VITA's security standards.

Option 4 - Election to FY22 \$4 Budget Request. If a Clerk certifies YES to FY22 budget request, the Clerk may proceed to Option 5. If a Clerk certifies NO to FY22 budget request, the Clerk's \$4 available balance will carry over to FY23 and the FY22 TTF Budget Request process will end.

TTF Main Menu, continued

→ Option 5 - \$4 Budget Request for Equipment and Services. Only those Clerks who budget their entire \$4 available funding may request from the \$1 Fund.

Option 6 - Certification for \$4 Budget Request. Clerks who make a FY22 \$4 budget request for equipment and services must certify compliance with the *Code of Virginia*.

Options 7 - \$1 Fund Budget Request for Equipment and Services. Only those Clerks who budget their entire FY22 \$4 available funding may make a budget request from the \$1 Fund. Clerks who make a Purpose Code N request from their \$4 available funding may NOT make a request from the \$1 Fund.

Option 8 - Certification for \$1 Fund Budget Request. Clerks must certify a shortfall of their \$4 available funding when requesting money from the TTF \$1 Fund.

Option 9 - Submit FY22 TTF Budget Request. If the Clerk has opted to budget their \$4 available funding then the \$4 certification (Option 6) must be complete for COIN to accept this logon. If the Clerk has requested \$1 Fund monies then the \$1 Fund certification (Option 8) must be complete for COIN to accept this logon.

\$4 Available Balance

→ Clerks may check their \$4 available funding using the F4 key.

\$4 and \$1 Fund Budget Totals

At any point in the budget process, Clerks may view their \$4 and \$1 Budget Request Totals using the **F4 key.**

Continue

→ Enter 1 to proceed to FY22 TTF Progress Survey. Press ENTER to continue.

PF Keys

F1 Help screen

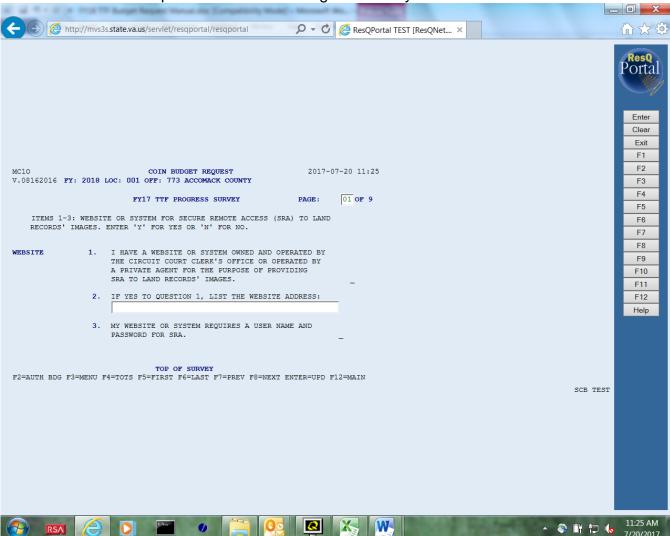
F3 COIN Main Menu

F4 TTF Totals screen

F12 COIN Main Menu

IMPORTANT: The FY22 TTF Budget Request process opens August 1, 2022 and closes at midnight on August 31, 2022. The entire TTF budgeting process (Options 2-9) must be concluded by the deadline. No extensions will be made for Clerks who do not complete the budget process in COIN by the deadline. Clerks who do not complete the budget process will automatically carryover their FY22 TTF \$4 available funding to FY23. Mid-year access (October through May) to TTF funds not previously budgeted in September is not guaranteed to Clerks who do not complete the TTF Budget Request process in August.

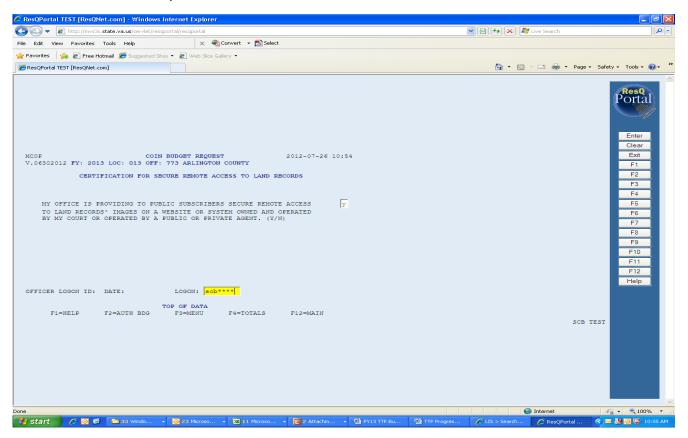
Screen 7 Option 1: FY22 TTF Progress Survey



TTF Progress
Survey

→ Option 1. The TTF Progress Survey has been deactivated for FY22 reporting /FY22 Budget Request Process. Please press F3 to return to the Main Menu for Selection 2: Certification for Secure Remote Access to Land Records to continue the FY22 TTF Budget Request Process.

Screen 8 Option 2: Certification for Secure Remote Access to Land Records



§ 17.1-295, Code of Virginia. Definitions.

Public Access

Public access means that the Clerk of the Circuit Court has made available to subscribers, that are other than governmental agencies, secure remote access to land records maintained by the clerk in the accordance with § 17.1-294.

Subscriber

Subscriber means any person who has entered into a subscriber agreement with the Clerk of the Circuit Court authorizing the subscriber to have secure remote access to land records maintained by the Clerk or the Clerk's designated application service providers. If the subscriber is an entity with

Secure Remote Access to Land Records means public access by electronic means on a network or system to land records maintained by the Clerk of the Circuit Court or the Clerk's designated application service providers, in compliance with the Secure Remote Access Standards developed by the Virginia Information Technologies Agency (VITA).

more than one person who will use the network or system to access land records maintained by the Clerk or the Clerk's designated application service providers, each individual user shall execute a subscriber agreement and obtain a separate "user id" and "password" from the Clerk. The subscriber is responsible for the fees due under this title and the proper use of the secure remote access system pursuant to the subscriber agreement, applicable Virginia law, and the secure remote access standard developed by VITA.

Option 2: Certification for Secure Remote Access to Land Records - continued

Certify SRA → **Option 2** is a certification screen for secure remote access (SRA).

Enter "Y" for Yes if you are currently providing SRA to land records' images to public (non-governmental) subscribers on a website or system owned and operated by my court or operated by a public or private agent. Indicating **"Y"** for the SRA certification means that **ALL of the following is true**:

- √ The Clerk's technology vendor has established a website or system in compliance with the security standards established by VITA for the purpose of providing SRA to land records' images;
- √ The Clerk has established a process whereby the public (non-governmental entity or individual) may register for subscription to the SRA, and if approved by the Clerk, sign a subscription agreement, may pay a subscription fee and receive a security password(s) for remote access to secure electronic land records;
- √ The Clerk has accepted / is willing to accept public subscribers to SRA;
 and
- √ The Clerk has made the public aware of the availability of SRA to land records (as appropriate).

Enter "N" for No if you are **NOT** currently providing SRA to land records' images to public (non-governmental) subscribers on a website or system owned and operated by my court or operated by a public or private agent. Indicating "N" for this certification means that **ONE OR MORE of the above is NOT true.**

Pursuant to § 17.1-279 B, *Code of Virginia*, the allocation of TTF funds shall require that a Clerk submit to the Compensation Board a written certification that the Clerk's proposed technology improvements of his/her land records provided secure remote access to those land records on or before July 1, 2008. The complete text of § 17.1-279 is located at the back of this manual.

A YES answer allows the Clerk to budget their \$4 available funding (Options 5-6) in FY22 and the opportunity to make a request from the \$1 Fund for equipment and/or services (Options 7-8). If a Clerk answers NO to Option 2 no allocation of TTF monies shall be made and the Clerk's FY22 TTF Budget Request process is concluded.

Any value other than "Y" or "N" will result in an error message.

Save

→ Press ENTER to save your entry. This is a required field. Print the screen for a record of your certification. An UPDATE SUCCESSFUL message should appear in the bottom center of your screen.

Continue

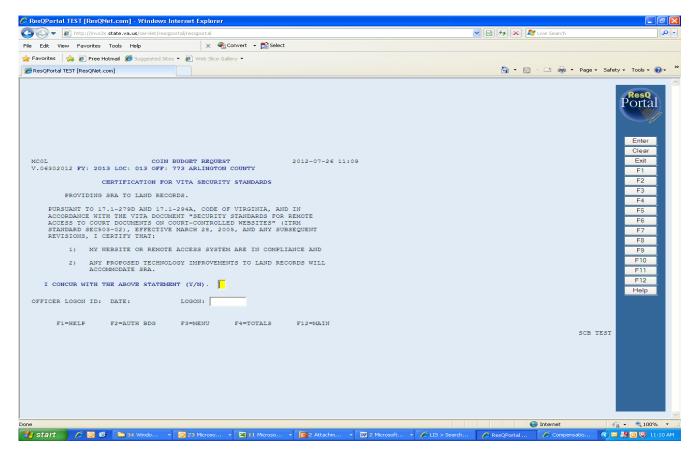
Press **F3** to return to the TTF Main Menu.

PF Keys → F1 Help screen

F2 Authorized Budget screen

F3 TTF Main Menu

Screen 9 Option 3: VITA Certification for Clerks Currently Providing SRA to Land Records



SRA to Land Records

 \rightarrow

Option 3: This option is only available to Clerks who answer YES to the SRA Certification in Option 2.

The Code of Virginia, § 17.1-279, requires that Circuit Court Clerks provide SRA to land records on or before July 1, 2008. Clerks are required to certify compliance with the secure remote access standards developed by VITA (ITRM Security SEC503-02), dated March 28, 2005, located at http://www.vita.virginia.gov/uploadedFiles/Library/PSGs/.

A YES answer allows the Clerk to budget their \$4 available balance (Options 5-6) in FY22 and the opportunity to make a request from the \$1 Fund for equipment and/or services (Options 7-8). If a Clerk answers NO to Option 2 no allocation of TTF monies shall be made and the Clerk's FY22 TTF Budget Request process is concluded.

Certification → To concur with the certification, enter "**Y**" for Yes. Any value other than "Y" or "N" will result in an error message. This is a required field. **TAB** to the next field.

Logon ID → Enter your COIN USER ID, an alpha-numeric code supplied by the Compensation Board. The first three characters of your ID are letters of the alphabet. This is a required field.

→ Press ENTER to save your entry. Print the screen for a record of your certification. An UPDATE SUCCESSFUL message should appear in the bottom center of your screen.

Continue → Press **F3** to return to the TTF Main Menu.

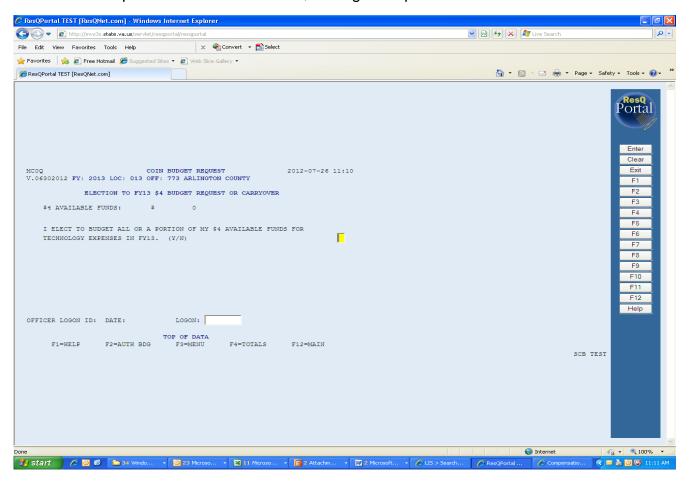
Save

PF Keys → F1 Help screen F4 TTF Totals screen

F2 Authorized Budget screen F12 COIN Main Menu

F3 TTF Main Menu

Screen 10 Option 4: Election to FY22 \$4 Budget Request



FY22 \$4 Budget → Option 4 is an election for a Clerk to budget all or a portion of his/her FY22 TTF \$4 available funding. If a Clerk certifies YES to FY22 budget request, the Clerk may proceed to Option 5. NOTE: Clerks with no (\$0) \$4 funding available must certify N for no.

\$4 Carryover

→ If a Clerk certifies NO to Option 4, the Clerk's FY22 \$4 TTF Budget Request process is concluded. Accumulations of FY22 \$4 available cash will carry over to FY23. Available cash is prior year unbudgeted and unexpended \$4 available funding plus current year-to-date cash collections. If a Clerk chooses to carryover, the Compensation Board cannot guarantee access to \$4 available funding mid-year. Each mid-year request for TTF money not previously requested in August and budgeted in September is determined on a case-by-case basis and on the availability of unencumbered funds. A FY22 TTF \$4 mid-year docket request is necessary to have access to \$4 funds previously requested for carryover. Clerks who carryover their FY22 \$4 available funding may NOT make a request from the \$1 Fund. You must budget your entire \$4 available funding before making a request from the \$1 Fund.

For questions about TTF Budgeting, contact Star Puaauli at star.puaauli@scb.virginia.gov

Option 4: Election to FY22 \$4 Budget Request - continued

\$4 Available Funding Formula

→ The formula for FY22 **\$4 available funding** is:

FY21 Carryover (Unbudgeted and Budgeted - of \$976 Unspent \$4 collections)	Sk to + FY22 \$4 = available
---	------------------------------

The FY22 transfer of \$978k to the Clerk's General Fund and the allocation of projected FY22 \$4 collections is made possible by a line of credit extended to the Technology Trust Fund in FY22 which must be repaid with actual FY22 TTF cash collections.

\$0 Available Funding

→ Clerks with \$0 available in \$4 TTF funding should elect "N" for Option 4. \$4 budgeting is not available to Clerks with \$0 available funding. After electing "N" and providing your officer logon, return to the TTF Main Menu (F3) and make a budget request for equipment and services from the \$1 Fund (Options 7-8).

Budget Election

- → An election to **budget** your FY22 \$4 available funding means that your TTF funds can be applied to equipment and services line items to support technology improvements for one or both purposes:
 - Purpose Code L = Land records
 - Purpose Code N = Areas of the court not related to land records

Save

→ Any value other than "Y" and "N" will result in an error message. This is a required field. **Press ENTER to save your entry.** An **UPDATE SUCCESSFUL** message should appear in the bottom center of your screen. Print the screen for a record of your election to budget or carryover.

Continue

→ Press **F3** to return to the TTF Main Menu

PF Keys

→ F1 Help screen

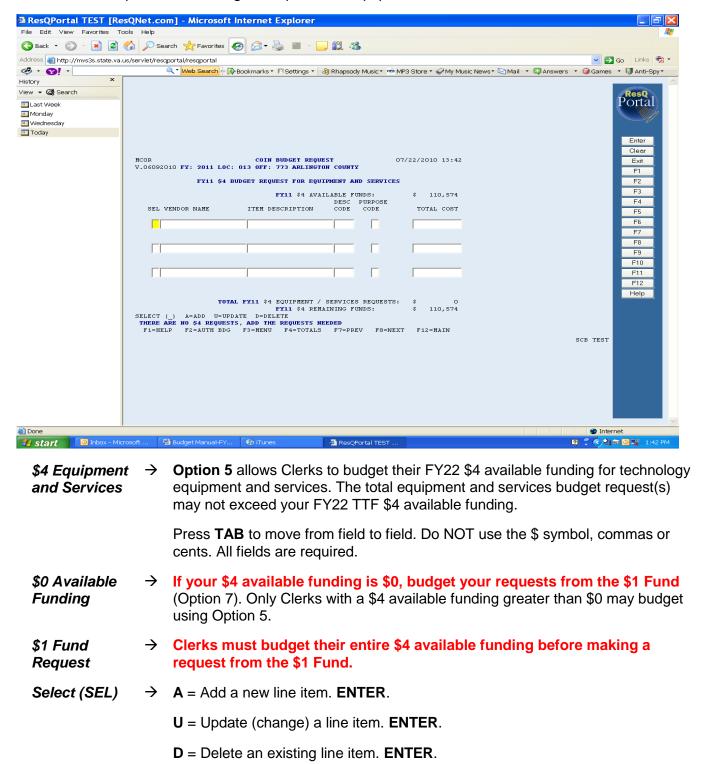
F4 TTF Totals screen

F2 Authorized Budget screen

F12 COIN Main Menu

F3 TTF Main Menu

Screen 11 Option 5: \$4 Budget Request for Equipment and Services



For questions about TTF Budgeting, contact Star Puaauli at star.puaauli@scb.virginia.gov

If the adjustments do not immediately take effect, return to the TTF Main Menu with **F3**, then return to the budget screen. To make line item changes (add, update or delete) AFTER the Clerk has certified the \$4 budget (Option 6), email Bill Fussell or Star Puaauli to remove your \$4 certification.

Vendor Name

→ Enter the vendor name (locality, Supreme Court or private vendor). Please spell out vendor name as completely as possible. The Vendor field allows 20 characters.

Item Description

→ Enter a brief line item description of the equipment and services requested. The following nonspecific descriptions will result in a message of: "Be more specific."

Do Not Do Instead

EQUIPMENT PC, Scanner, etc.

HARDWARE Name of hardware e.g. – Printer, PC, Scanner, etc.

SOFTWARE Name of software e.g. – Antivirus, etc.

BACKSCANNING Microfilm conversion – Plats etc. what is being backscanned?

MR & MS Cannot combine RMS and SRA - list separately

MS & MR RMS or SRA maintenance

RIS/SRA Main List separately

Duplicate line item descriptions are NOT allowed. The Line Item Description field allows 20 characters. NOTE: All redaction requests require additional documentation: 1) quote from the Clerk's redaction vendor AND 2) Redaction Form (located at www.scb.virginia.gov under the tab Land Records Technology). See FAQ for more information regarding documentation requirements for redaction requests.

Description Code

- → Description codes for \$4 equipment and services are listed below. The Description code field allows 2 characters.
 - **B** = Back scanning or conversion services
 - **E** = Equipment (hardware and software)
 - **MR** = Maintenance services for records management system
 - **MS** = Maintenance services for SRA.
 - **R** = Redaction services for social security numbers
 - **O** = Other miscellaneous services.

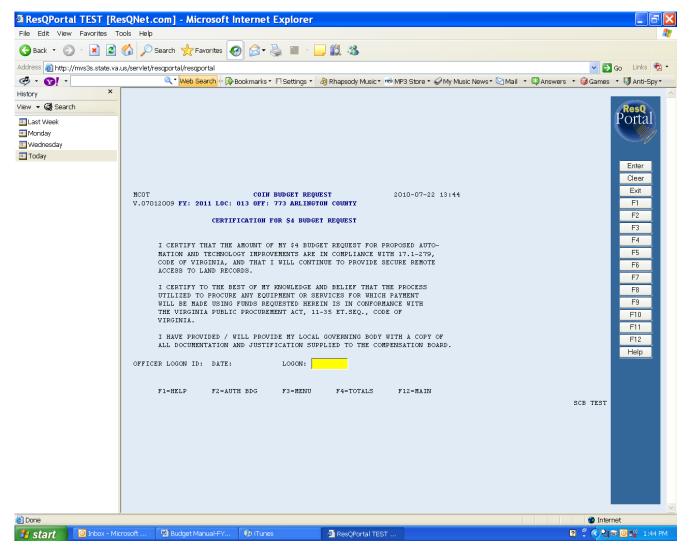
Purpose Code

- → Enter purpose code L or N for each line item. The Purpose Code field allows 1 character.
 - L = Land records.

For questions about TTF Budgeting, contact Star Puaauli at star.puaauli@scb.virginia.gov

		N = Areas of the court NOT related land records.					
Total Cost	\rightarrow	Enter the total cost for each line item. The Total Cost field allows 11 characters.					
Save	\rightarrow	Press ENTER after completing the entire screen (1, 2, or 3 line items). An UPDATE SUCCESSFUL message should appear in the bottom center of your screen. Print the screen for a record of your budget request.					
Additional Line Items	\rightarrow	Each \$4 Equipment and Services screen will display 3 line items. Press F8 if additional screens are necessary.					
Total \$4 Requests	\rightarrow	item	COIN automatically sums the total cost for all \$4 Equipment and Services line items. Your \$4 remaining funding will be displayed. Total \$4 Equipment and Services request(s) may not exceed your FY22 \$4 available funding.				
Budget Totals Screen	\rightarrow	Press F4 to view your total \$4 budget requests. If the F4 Totals screen has the correct amounts, then COIN has saved your data. Print this screen.					
Continue	\rightarrow	Press F3 to return to the TTF Main Menu					
PF Keys	\rightarrow	F1	Help screen	F7	Previous screen		
		F2	Authorized Budget screen	F8	Next screen		
		F3	TTF Main Menu	F12	COIN Main Menu		
		F4	TTF Totals screen				

Screen 12 Option 6: Certification for \$4 Budget Request



\$4 Certification

→ Option 6 is a certification screen that is required for Clerks who make a FY22 \$4 budget request for Equipment and Services (Options 5).

The Code of Virginia, § 17.1-279 B, states that a Clerk must submit a written certification to the Compensation Board for secure remote access to land records and conformance with the Virginia Public Procurement Act. Documentation and justification for your Equipment and Services budget requests should be copied to your local governing body.

Certification

To concur, enter your **Logon ID**, an alpha-numeric code supplied by the Compensation Board. This is a required field.

Save → Press ENTER to save your certification. Print the screen for a record of your certification. An UPDATE SUCCESSFUL message should appear in the

bottom center of your screen.

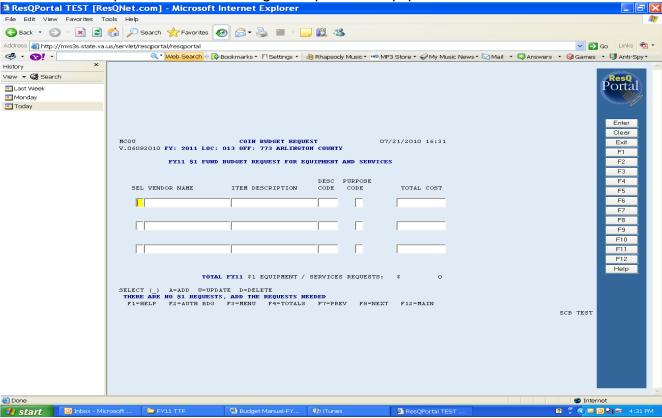
Continue → Press F3 to return to the TTF Main Menu.

PF Keys → F1 Help screen F4 TTF Totals screen

F2 Authorized Budget screen F12 COIN Main Menu

F3 TTF Main Menu

Screen 13 Option 7: \$1 Fund Budget Request for Equipment and Services



\$1 Fund Equipment

- → **Option 7** is available to all Clerks who certify that their request from the \$1 Fund is based upon a shortfall of \$4 funds needed to continue to provide SRA to land records' images. \$1 Fund requests have the following conditions:
 - Clerks must fully budget their entire \$4 available funding in order to make a request from the \$1 Fund.
 - Clerks who make a Purpose Code N request (areas of the court NOT related to land records) from their \$4 available funding may NOT make a request from the \$1 Fund.
 - Purpose N requests from the \$1 Fund are NOT permitted.

Once requests have been made, Compensation Board staff will review in order to determine priority allocation of the \$1 Fund. Due to funding limitations, all \$1 Fund requests may not be approved at the September Board meeting.

Press **TAB** to move from field to field. Do NOT use the \$ symbol, commas or cents. All fields are required.

Select (SEL) \rightarrow **A** = Add a new line item. **ENTER**.

U = Update (change) a line item. **ENTER**.

D = Delete an existing line item. **ENTER**.

If the adjustments do not immediately take effect, check the totals screen with **F4** or return to the TTF Main Menu with **F3**, then return to the budget screen. To make line items changes (add, update or delete) AFTER the Clerk has certified the \$4 budget (Option 6), email Star Puaauli or Bill Fussell to remove your \$1 Fund certification.

Vendor Name

→ Enter the vendor name (locality, Supreme Court or private vendor) for each line item of equipment and services requested. Please spell out vendor name as completely as possible. The Vendor field allows 20 characters..

Item Description

Enter a brief line item description of the equipment and services requested. The following nonspecific descriptions will result in a message of: "Be more specific."

Do Not	Do Instead
DO I TOT	DO INICIOAA

EQUIPMENT PC, Scanner, etc.

HARDWARE Name of hardware e.g. – Printer, PC, Scanner, etc.

SOFTWARE Name of software e.g. – Antivirus, etc.

BACKSCANNING Microfilm conversion – Plats etc. what is being backscanned?

MR & MS Cannot combine RMS and SRA - list separately

MS & MR RMS or SRA maintenance

RIS/SRA Main List separately

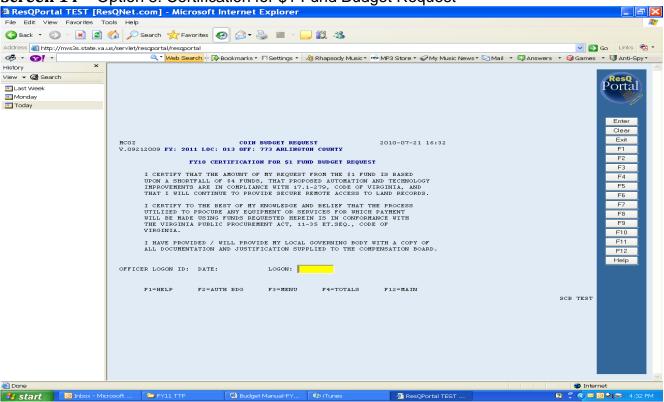
Duplicate line item descriptions are NOT allowed. The Line Item Description field allows 20 characters. NOTE: All redaction requests require additional documentation: 1) quote from the Clerk's redaction vendor AND 2) Redaction Form (located at www.scb.virginia.gov under the tab Land Records Technology). See FAQ for more information regarding documentation requirements for redaction requests.

Description Code

- → Description codes for \$1 Fund equipment and services are listed below. The Description Code field allows 2 characters.
 - **B** = Back scanning or conversion services
 - **E** = Equipment (software and hardware)
 - **MR** = Maintenance services for records management system
 - **MS** = Maintenance services for SRA system.
 - **R** = Redaction services for social security numbers

Purpose Code	\rightarrow	L = land records. Purpose Code N equipment and services may not be requested from the \$1 Fund. The Purpose Code field allows 1 character.					
Total Cost	\rightarrow	Ente	Enter the total cost for each line item. The Total Cost field allows 11 characters.				
Save	\rightarrow	mes	Press ENTER after completing every line item. An UPDATE SUCCESSFUL message should appear in the bottom center of your screen. Print the screen for a record of your budget request.				
Additional Line Items	\rightarrow		Each \$1 Fund Equipment and Services screen will display 3 line items. Press F8 if additional screens are necessary.				
Total \$1 Requests	\rightarrow		COIN automatically sums the total cost for all \$1 Fund Equipment and Services line items.				
Budget Totals Screen	\rightarrow		Press F4 to view your total \$1 Fund budget requests. If the F4 Totals screen has the correct amounts, then COIN has saved your data. Print this screen.				
Continue	\rightarrow	Press F3 to return to the TTF Main Menu					
PF Keys	\rightarrow	F1	Help screen	F7	Previous screen		
		F2	Authorized Budget screen	F8	Next screen		
		F3	TTF Main Menu	F12	COIN Main Menu		
		F4	TTF Totals screen				

Screen 14 Option 8: Certification for \$1 Fund Budget Request



\$1 Fund Certification

Option 8 is a certification screen required for Clerks who make a \$1 Fund budget request. The Clerk must certify that a shortfall of funds exists in order to continue to provide secure remote access to land records' images.

The Code of Virginia, § 17.1-279 B, states that a Clerk must submit a written certification to the Compensation Board for secure remote access to land records and conformance with the Virginia Public Procurement Act. Documentation and justification for your Equipment and Services budget requests must be copied to your local governing body.

Certification

To concur, enter your **Logon ID**, an alpha-numeric code supplied by the Compensation Board. This is a required field.

Save

→ Press ENTER to save your certification. An UPDATE SUCCESSFUL message should appear in the bottom center of your screen. Print the screen for your records.

PF Keys

F1 Help screen

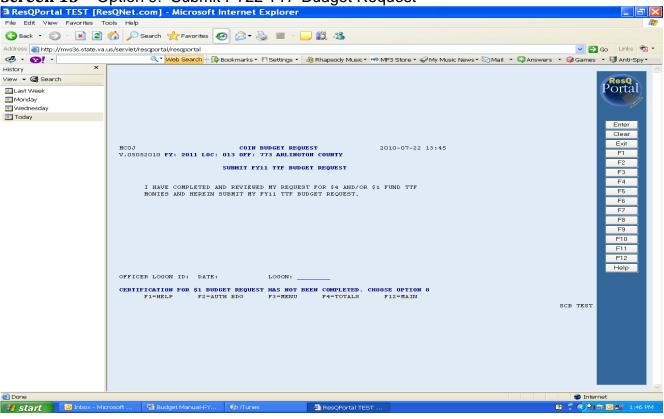
F4 TTF Totals screen

F2 Authorized Budget screen

F12 COIN Main Menu

F3 TTF Main Menu

Screen 15 Option 9: Submit FY22 TTF Budget Request



TTF Budget Submission

→ Option 9 completes the FY22 TTF Budget Request process.

If the Clerk has opted to budget their \$4 available balance (greater than \$0) then the \$4 certification (Option 6) must be complete for COIN to accept this logon. If the Clerk has requested \$1 Fund monies then the \$1 Fund certification (Option 8) must be complete for COIN to accept this logon.

Officer Logon

Enter your **Logon ID**, an alpha-numeric code supplied by the Compensation Board. This is a required field.

Save

Press ENTER to save your certification. A message should appear in the bottom center of your screen: YOUR FY22 TTF BUDGET REQUEST HAS BEEN SUCCESSFULLY SUBMITTED. THANK YOU. Print the screen for your records.

PF Keys

→ F1 Help screen

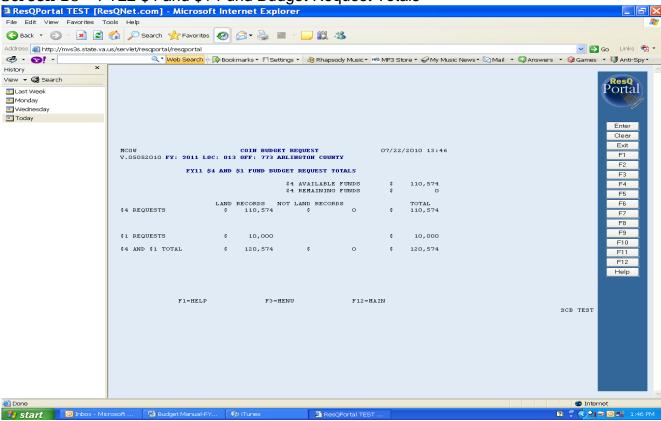
F4 TTF Totals screen

F2 Authorized Budget screen

F12 COIN Main Menu

F3 TTF Main Menu

Screen 16 FY22 \$4 and \$1 Fund Budget Request Totals



F4 Totals Key

- The **F4** key displays TTF \$4 and \$1 Fund budget request totals:
 - \$4 Available funds;
 - \$4 Remaining funds;
 - \$4 equipment and services requests for land records (Purpose Code L);
 - \$4 equipment and services requests for areas of the court not related to land records (Purpose Code N);
 - Total \$4 equipment and services requests;
 - Total \$1 Fund equipment and services requests for land records;
 - Total \$4 and \$1 Fund equipment and services requests for land records;
 and
 - Total \$4 and \$1 Equipment and/or Services requests.

Your total FY22 \$4 TTF budget request cannot exceed your \$4 available funds.

PF Keys

- F1 Help screen
 - F3 TTF Main Menu
 - F12 COIN Main Menu

§ 17.1-276. Fee allowed for providing secure remote access to land records.

A. A clerk of the circuit court who provides secure remote access to land records pursuant to § 17.1-294 may charge a fee as provided in this section. The fee shall be paid to the clerk's office and deposited by the clerk into the clerk's nonreverting local fund to be used to cover operational expenses as defined in § 17.1-295. The clerk may charge a flat clerk's fee to be assessed for each subscriber, as defined in § 17.1-295, in an amount not to exceed \$50 per month and a separate fee per image downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275. The clerk's fees shall be used to cover operational expenses as defined in § 17.1-295.

The Office of the Attorney General, the Division of Debt Collection, the Department of Transportation, the Virginia Outdoors Foundation, the Department of Historic Resources, the Department of General Services, the Department of Conservation and Recreation, the Department of Forestry, the Virginia Alcoholic Beverage Control Authority, the Department of Rail and Public Transportation, and the State Corporation Commission shall be exempt from paying any fee for remote access to land records. If any clerk contracts with an outside vendor to provide remote access to land records to subscribers, such contract shall contain a provision exempting the Office of the Attorney General, the Division of Debt Collection, the Department of Transportation, the Virginia Outdoors Foundation, the Department of Historic Resources, the Department of General Services, the Department of Conservation and Recreation, the Department of Forestry, the Virginia Alcoholic Beverage Control Authority, the Department of Rail and Public Transportation, and the State Corporation Commission from paying any access or subscription fee.

- B. The circuit court clerk shall enter into an agreement with each person whom the clerk authorizes to have remote access, in accordance with the security standards established by the Virginia Information Technologies Agency. Any such agreement between a state agency or employee thereof acting in the employee's official capacity and the clerk or an outside vendor contracted by the clerk to provide remote access to land records to subscribers, or such an agreement between a state agency or employee thereof acting in the employee's official capacity and both the clerk and the outside vendor, shall not contain any provision requiring the state agency or employee thereof acting in the employee's official capacity to indemnify the clerk or the vendor. Any such agreement between a state agency and the clerk or an outside vendor shall provide that the state agency is required to monitor its employees' activity under such agreement to ensure compliance with its terms.
- C. The clerk may establish a program under which the clerk assesses a reasonable convenience fee that shall not exceed \$2 per transaction for remote access to land records and a separate fee per image downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275.
- D. Nothing herein shall be construed to require the use by the general public of the secure remote access to land records made available by the clerk, and such records may continue to be accessed in person in the clerk's office.

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1985, c. 489, § 14.1-118.1; 1993, c. 445; 1995, c. <u>592</u>; 1997, c. <u>413</u>; 1998, cc. <u>650</u>, <u>872</u>; 2004, c. <u>230</u>; 2006, c. <u>474</u>; 2008, cc. <u>823</u>, <u>833</u>; 2009, cc. <u>76</u>, <u>723</u>, <u>797</u>; 2010, c. <u>430</u>; 2011, cc. <u>434</u>, <u>493</u>; 2012, cc. <u>234</u>, 469, 780; 2013, c. 77; 2015, cc. 65, 174; 2019, c. 611; 2021, Sp. Sess. I, c. 124.
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§ 17.1-279. Additional fee to be assessed by circuit court clerks for information technology.

A. In addition to the fees otherwise authorized by this chapter, the clerk of each circuit court shall assess a \$5 fee, known as the "Technology Trust Fund Fee," in each civil action, upon each instrument to be recorded in the deed books, and upon each judgment to be docketed in the judgment lien docket book. Such fee shall be deposited by the State Treasurer into a trust fund. The State Treasurer shall maintain a record of such deposits.

B. Four dollars of every \$5 fee shall be allocated by the Compensation Board from the trust fund for the purposes of: (i) developing and updating individual land records automation plans for individual circuit court clerks' offices; (ii) implementing automation plans to modernize land records in individual circuit court clerks' offices and provide secure remote access to land records throughout the Commonwealth pursuant to § 17.1-294; (iii) obtaining and updating office automation and information technology equipment including software and conversion services; (iv) preserving, maintaining and enhancing court records, including, but not limited to, the costs of repairs, maintenance, land records, consulting services, service contracts, redaction of social security numbers from land records, and system replacements or upgrades; and (v) improving public access to court records. The Compensation Board in consultation with circuit court clerks and other users of court records shall develop and update policies governing the allocation of funds for these purposes. However, such funds shall not be used for personnel costs within the circuit court clerks' offices. The Compensation Board policies governing the allocation of funds shall require that a clerk submit to the Compensation Board a written certification that the clerk's proposed technology improvements of his land records will provide secure remote access to those land records on or before July 1, 2008.

The annual budget submitted by each circuit court clerk pursuant to § 15.2-1636.7 may include a request for technology improvements in the upcoming fiscal year to be allocated by the Compensation Board from the trust fund. Such request shall not exceed the deposits into the trust fund credited to that locality. The Compensation Board shall allocate the funds requested by the clerks in an amount not to exceed the deposits into the trust fund credited to their respective localities.

C. The remaining \$1 of each such fee may be allocated by the Compensation Board from the trust fund (i) for the purposes of funding studies to develop and update individual land-records automation plans for individual circuit court clerks' offices, at the request of and in consultation with the individual circuit court clerk's offices, and (ii) for the purposes enumerated in subsection B to implement the plan to modernize land records in individual circuit court clerks' offices and provide secure remote access to land records throughout the Commonwealth. The allocations pursuant to this subsection may give priority to those individual clerks' offices whose deposits into the trust fund would not be sufficient to implement its modernization plan. The Compensation Board policies governing the allocation of funds shall require that a clerk submit to the Compensation Board a written certification that the clerk's proposed technology improvements of his land records will provide secure remote access to those land records on or before July 1, 2008.

- D. 1. Secure remote access to land records shall be by paid subscription service through individual circuit court clerk's offices pursuant to § 17.1-276, or through designated application service providers. The clerk may require any entity that is a nonresident of the Commonwealth, prior to becoming a subscriber, to demonstrate that such entity is authorized to do business in Virginia and is in good standing with the State Corporation Commission or other applicable state or federal regulatory agency and that such entity will comply with the secure remote access standards developed by the Virginia Information Technologies Agency pursuant to § 17.1-294. In the case of an individual, the clerk may require a person who is a nonresident of the Commonwealth to demonstrate that such person has a legal presence in Virginia and will comply with the secure remote access standards developed by the Virginia Information Technologies Agency pursuant to § 17.1-294. Compliance with secure remote access standards developed by the Virginia Information Technologies Agency pursuant to § 17.1-294 shall be certified by the individual circuit court clerks' offices to the Compensation Board. The individual circuit court clerk's office or its designated application service provider shall certify compliance with such secure remote access standards. Nothing in this section shall prohibit the clerk from entering into a subscriber agreement with an agency of the Commonwealth and delegating the responsibility for compliance with such secure remote access standards to such agency. Nothing in this section shall prohibit the Compensation Board from allocating trust fund money to individual circuit court clerks' offices for the purpose of complying with such secure remote access standards or redaction of social security numbers from land records.
- 2. Every circuit court clerk shall provide secure remote access to land records pursuant to § 17.1-294 on or before July 1, 2008.
- E. Such fee shall not be assessed to any instrument to be recorded in the deed books nor any judgment to be docketed in the judgment lien docket books tendered by any federal, state or local government.
- F. If such an application includes automation or technology improvements that would require an interface with the case management system or the financial management system operated and maintained by the Executive Secretary of the Supreme Court for the purpose of providing electronic information to state agencies in accordance with § 17.1-502, the circuit court clerk, or the court's designated application service provider, shall certify to the Compensation Board that such automation or technology improvements will comply with the security and data standards of the systems operated and maintained by the Executive Secretary of the Supreme Court.
- G. Information regarding the technology programs adopted by the circuit court clerks shall be shared with the Virginia Information Technologies Agency, The Library of Virginia, and the Office of the Executive Secretary of the Supreme Court.
- H. Nothing in this section shall be construed to diminish the duty of local governing bodies to furnish supplies and equipment to the clerks of the circuit courts pursuant to § 15.2-1656. Revenue raised as a result of this section shall in no way supplant current funding to circuit court clerks' offices by local governing bodies.

I. Effective July 1, 2006, except for transfers pursuant to this section, there shall be no transfers out of the Technology Trust Fund, including transfers to the general fund.

1996, c. <u>431</u>, § 14.1-125.2; 1997, c. <u>675</u>; 1998, c. <u>872</u>; 2000, cc. <u>440</u>, <u>446</u>; 2002, cc. <u>140</u>, <u>250</u>, <u>637</u>; 2003, cc. <u>205</u>, <u>865</u>, <u>981</u>, <u>1021</u>; 2004, c. <u>676</u>; 2005, cc. <u>681</u>, <u>738</u>; 2006, c. <u>647</u>; 2007, cc. <u>548</u>, <u>626</u>; 2009, cc. <u>793</u>, <u>858</u>; 2010, c. <u>430</u>; 2014, c. <u>460</u>.

§ 17.1-292. (Effective October 1, 2019) Applicability; definitions.

A. The provisions of § $\underline{17.1-293}$ shall apply to clerks of the courts of record as defined in § $\underline{1-212}$ and courts not of record as defined in § $\underline{16.1-69.5}$.

B. As used in this article:

"Confidential court records" means court records maintained by a clerk of a court of record, as defined in § <u>1-212</u>, or a court not of record, as defined in § <u>16.1-69.5</u>, and recognized as confidential under any applicable law or sealed pursuant to court order.

"Court records" means any record maintained by the clerk in a civil, traffic, or criminal proceeding in the court, and any appeal from a district court.

"Internet" means the international computer network of interoperable packet-switched data networks.

"Land records" means any writing authorized by law to be recorded on paper or in electronic format that the clerk records affecting title to real property, including but not limited to instruments, orders, or any other writings recorded under this title, Article 5 (§ 8.01-446 et seq.) of Chapter 17 of Title 8.01, Title 8.9A and Chapter 6 (§ 55.1-600 et seq.) of Title 55.1.

"Nonconfidential court records" means all court records except those court records that are confidential court records.

2007, cc. <u>548</u>, <u>626</u>; 2013, c. <u>77</u>; 2018, cc. <u>127</u>, <u>584</u>.

- § 17.1-293. (Effective until January 1, 2021) Posting and availability of certain information on the Internet; prohibitions.
- A. Notwithstanding Chapter 37 (§ 2.2-3700 et seq.) of Title 2.2 or subsection B, it shall be unlawful for any court clerk to disclose the social security number or other identification numbers appearing on driver's licenses or information on credit cards, debit cards, bank accounts, or other electronic billing and payment systems that was supplied to a court clerk for the purpose of paying fees, fines, taxes, or other charges collected by such court clerk. The prohibition shall not apply where disclosure of such information is required (i) to conduct or complete the transaction for which such information was submitted or (ii) by other law or court order.
- B. Beginning January 1, 2004, no court clerk shall post on the Internet any document that contains the following information: (i) an actual signature, (ii) a social security number, (iii) a date of birth identified with a particular person, (iv) the maiden name of a person's parent so as to be identified with a particular person, (v) any financial account number or numbers, or (vi) the name and age of any minor child.
- C. Each such clerk shall post notice that includes a list of the documents routinely posted on its website. However, the clerk shall not post information on his website that includes private activity for private financial gain.
- D. Nothing in this section shall be construed to prohibit access to any original document as provided by law.
- E. This section shall not apply to the following:
- 1. Providing access to any document among the land records via secure remote access pursuant to § 17.1-294;
- 2. Postings related to legitimate law-enforcement purposes;
- 3. Postings of historical, genealogical, interpretive, or educational documents and information about historic persons and events;
- 4. Postings of instruments and records filed or recorded that are more than 100 years old;
- 5. Providing secure remote access to any person, his counsel, or staff which counsel directly supervises to documents filed in matters to which such person is a party;
- 6. Providing official certificates and certified records in digital form of any document maintained by the clerk pursuant to § 17.1-258.3:2; and
- 7. Providing secure remote access to nonconfidential court records, subject to any fees charged by the clerk, to members in good standing with the Virginia State Bar and their authorized agents, pro hac vice attorneys authorized by the court for purposes of the practice of law, and such governmental agencies as authorized by the clerk.

- F. Nothing in this section shall prohibit the Supreme Court or any other court clerk from providing online access to a case management system that may include abstracts of case filings and proceedings in the courts of the Commonwealth, including online access to subscribers of nonconfidential criminal case information to confirm the complete date of birth of a defendant.
- G. The court clerk shall be immune from suit arising from any acts or omissions relating to providing remote access on the Internet pursuant to this section unless the clerk was grossly negligent or engaged in willful misconduct.

This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law, or to affect any cause of action accruing prior to July 1, 2005.

H. Nothing in this section shall be construed to permit any data accessed by secure remote access to be sold or posted on any other website or in any way redistributed to any third party, and the clerk, in his discretion, may deny secure remote access to ensure compliance with these provisions. However, the data accessed by secure remote access may be included in products or services provided to a third party of the subscriber provided that (i) such data is not made available to the general public and (ii) the subscriber maintains administrative, technical, and security safeguards to protect the confidentiality, integrity, and limited availability of the data.

2007, cc. <u>548</u>, <u>626</u>; 2010, c. <u>430</u>; 2011, cc. <u>557</u>, <u>625</u>, <u>689</u>, <u>715</u>; 2012, c. <u>234</u>; 2013, c. <u>77</u>; 2014, c. <u>460</u>; 2017, cc. <u>78</u>, <u>92</u>.

- § 17.1-293. (Effective January 1, 2021) Posting and availability of certain information on the Internet; prohibitions.
- A. Notwithstanding Chapter 37 (§ 2.2-3700 et seq.) of Title 2.2 or subsection B, it is unlawful for any court clerk to disclose the social security number or other identification numbers appearing on driver's licenses or other documents issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 or the comparable law of another jurisdiction or information on credit cards, debit cards, bank accounts, or other electronic billing and payment systems that was supplied to a court clerk for the purpose of paying fees, fines, taxes, or other charges collected by such court clerk. The prohibition shall not apply where disclosure of such information is required (i) to conduct or complete the transaction for which such information was submitted or (ii) by other law or court order.
- B. Beginning January 1, 2004, no court clerk shall post on the Internet any document that contains the following information: (i) an actual signature, (ii) a social security number, (iii) a date of birth identified with a particular person, (iv) the maiden name of a person's parent so as to be identified with a particular person, (v) any financial account number or numbers, or (vi) the name and age of any minor child.
- C. Each such clerk shall post notice that includes a list of the documents routinely posted on its website. However, the clerk shall not post information on his website that includes private activity for private financial gain.

- D. Nothing in this section shall be construed to prohibit access to any original document as provided by law.
- E. This section shall not apply to the following:
- 1. Providing access to any document among the land records via secure remote access pursuant to § 17.1-294;
- 2. Postings related to legitimate law-enforcement purposes;
- 3. Postings of historical, genealogical, interpretive, or educational documents and information about historic persons and events;
- 4. Postings of instruments and records filed or recorded that are more than 100 years old;
- 5. Providing secure remote access to any person, his counsel, or staff which counsel directly supervises to documents filed in matters to which such person is a party;
- 6. Providing official certificates and certified records in digital form of any document maintained by the clerk pursuant to § 17.1-258.3:2; and
- 7. Providing secure remote access to nonconfidential court records, subject to any fees charged by the clerk, to members in good standing with the Virginia State Bar and their authorized agents, pro hac vice attorneys authorized by the court for purposes of the practice of law, and such governmental agencies as authorized by the clerk.
- F. Nothing in this section shall prohibit the Supreme Court or any other court clerk from providing online access to a case management system that may include abstracts of case filings and proceedings in the courts of the Commonwealth, including online access to subscribers of nonconfidential criminal case information to confirm the complete date of birth of a defendant.
- G. The court clerk shall be immune from suit arising from any acts or omissions relating to providing remote access on the Internet pursuant to this section unless the clerk was grossly negligent or engaged in willful misconduct.

This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law, or to affect any cause of action accruing prior to July 1, 2005.

H. Nothing in this section shall be construed to permit any data accessed by secure remote access to be sold or posted on any other website or in any way redistributed to any third party, and the clerk, in his discretion, may deny secure remote access to ensure compliance with these provisions. However, the data accessed by secure remote access may be included in products or services provided to a third party of the subscriber provided that (i) such data is not made available to the general public and (ii) the subscriber maintains administrative, technical, and security safeguards to protect the confidentiality, integrity, and limited availability of the data.

2007, cc. <u>548</u>, <u>626</u>; 2010, c. <u>430</u>; 2011, cc. <u>557</u>, <u>625</u>, <u>689</u>, <u>715</u>; 2012, c. <u>234</u>; 2013, c. <u>77</u>; 2014, c. <u>460</u>; 2017, cc. <u>78</u>, <u>92</u>; 2020, cc. <u>1227</u>, <u>1246</u>.

§ 17.1-294. Secure remote access to land records.

- A. No circuit court clerk shall provide secure remote access to any land record that does not comply with the provisions of this section and the secure remote access standards developed by the Virginia Information Technologies Agency in consultation with the circuit court clerks, the Executive Secretary of the Supreme Court, the Compensation Board, and users of land and other court records.
- B. 1. Beginning July 1, 2012, any land record made available to subscribers via secure remote access may contain only the last four digits of the social security number of any party. Nothing in this subsection shall be construed to require the clerk to reinsert the last four digits of a social security number on any land record where the redaction of the entire social security number has been completed prior to July 1, 2012.
- 2. However, the original land record maintained by the clerk may contain a social security number if otherwise provided by law, but that original record shall not be made available via secure remote access unless it complies with this section.
- 3. Except in cases where the original record is required by law to contain a social security number, the attorney or party who prepares or submits the land record for recordation has the responsibility for ensuring that the social security number has been removed from the writing prior to the instrument's being submitted for recordation.
- C. Nothing in this section shall be construed to prohibit access to any original document as provided by law.
- D. Nothing in this section shall be construed to permit any data accessed by secure remote access to be sold or posted on any other website or in any way redistributed to any third party, and the clerk, in his discretion, may deny secure remote access to ensure compliance with these provisions. However, the data accessed by secure remote access may be included in products or services provided to a third party of the subscriber provided that (i) such data is not made available to the general public and (ii) the subscriber maintains administrative, technical, and security safeguards to protect the confidentiality, integrity, and limited availability of the data.
- E. The clerk of the circuit court of any jurisdiction shall be immune from suit arising from any acts or omissions relating to providing secure remote access to land records pursuant to this section unless the clerk was grossly negligent or engaged in willful misconduct.

(2007, cc. 548, 626; 2009, c. 312; 2011, c. 715; 2012, c. 234.)

§ 17.1-295. (Effective October 1, 2019) Definitions.

As used in this title:

"Confidential court records" means any civil or criminal record maintained by a clerk of the circuit court designated by this Code as confidential or any such record sealed pursuant to court order.

"Electronic filing of court records" means the networks or systems maintained by a clerk of the circuit court, or the clerk's designated application service providers, for the submittal of instruments for electronic filing of court records in accordance with this title, the Rules of the Supreme Court of Virginia, and the secure remote access standards developed by the Virginia Information Technologies Agency.

"Electronic recording of land records" means the networks or systems maintained by a clerk of the circuit court, or the clerk's designated application service providers, for the submittal of instruments for electronic filing of land records in accordance with the provisions of Article 3 (§ <u>55.1-346</u> et seq.) of Chapter 3 of Title 55.1 regarding the satisfaction of mortgages, the Uniform Real Property Electronic Recording Act (§ <u>55.1-661</u> et seq.), and the provisions of this title.

"Operational expenses" means expenses of the clerk of court used to maintain the clerk's office and includes, but is not limited to, (i) computer support, maintenance, enhancements, upgrades, and replacements and office automation and information technology equipment, including software and conversion services; (ii) preserving, maintaining, and enhancing court records, including, but not limited to, the costs of repairs, maintenance, consulting services, service contracts, redaction of social security numbers from certain records, and system replacements or upgrades; and (iii) improving public access to records maintained by the clerk, including locating technology in an offsite facility for such purposes or for implementation of a disaster recovery plan.

"Public access" means that the clerk of the circuit court has made available to subscribers that are other than governmental agencies, secure remote access to records maintained by the clerk in accordance with § 17.1-294.

"Secure remote access to court records" means public access by electronic means on a network or system to court records maintained by the clerk of the circuit court or the clerk's designated application service providers, in compliance with this title, the Rules of the Supreme Court of Virginia, and the secure remote access standards developed by the Virginia Information Technologies Agency.

"Secure remote access to land records" means public access by electronic means on a network or system to land records maintained by the clerk of the circuit court or the clerk's designated application service providers, in compliance with the Secure Remote Access Standards developed by the Virginia Information Technologies Agency.

"Subscriber" means any person who has entered into a subscriber agreement with the clerk of the circuit court authorizing the subscriber to have secure remote access to land records or secure remote access to court records maintained by the clerk or the clerk's designated application service providers. If the subscriber is an entity with more than one person who will use the network or system to access land records maintained by the clerk, or the clerk's designated application service providers, each individual user shall execute a subscriber agreement and obtain a separate "user id" and

"password" from the clerk. The subscriber is responsible for the fees due under this title and the proper use of the secure remote access system pursuant to the subscriber agreement, applicable Virginia law, and Secure Remote Access Standards developed by the Virginia Information Technologies Agency.

2008, cc. <u>823</u>, <u>833</u>; 2013, cc. <u>77</u>, <u>263</u>, <u>422</u>; 2017, cc. <u>78</u>, <u>92</u>.

FY22 TTF Budget Request (Options 2-9 on the TTF Main Menu)

OPTION 2 – CERTIFICA	ATIO	N FOR SECURE REMOTE ACCESS	TO	LAND RECORDS		
My office currently provide	des t	o public subscribers secure remote ac	cces	ss to land records'		
images on a website or	syste	em owned and operated by my court o	r op	perated by a public or		
private agent. Enter YES	or N	NO.				
Date:	1 [Officer Logon ID:		Officer Name:		
ORTION 2 OFFICE		ON FOR WITH OFOURITY OTANIOAR	DC	(If any one to Ontion C. in VEC)		
OPTION 3 - CERTIFIC	AH	ON FOR VITA SECURITY STANDAR	เบร	(It answer to Option 2 is YES)		
CURRENTLY PROVIDI	NG S	SRA TO LAND RECORDS.				
Pursuant to §§ 17.1-279	D a	nd 17.1-294 A, Code of Virginia, and in	n a	ccordance with the		
		by VITA (ITRM Standard SEC503-02				
2005, and any subseque	ent r∈	evisions, I certify that:	,			
, •		e access system are in compliance an				
Any proposed te	chnc	ology improvements to land records w	ill a	ccommodate SRA.		
To concur with the above statement, enter YES or NO.						
Date:		Officer Logon ID:		Officer Name:		
OPTION 4 – ELECTION TO FY22 \$4 BUDGET REQUEST						
FY22 \$4 Available Balar				5 5 V00		
I elect to budget all or a portion of my \$4 available balance for technology expenses in FY22. Enter YES or NO.						
Enter 123 of NO.						
Date:		Officer Logon ID:		Officer Name:		

FY22 TTF Budget Request, continued

FY22 \$4 Availab	le Balance: \$	ENT AND SERVICES					
Vendor	Line Item Description	Description Code	Purpose Code	Total Cost			
70.100.	Zine item Zeeenpuen	0000	0000	\$			
			-	\$			
				\$			
				\$			
				\$			
				\$			
				\$			
				\$			
				\$			
				\$ \$			
	Total FY22 \$4 Equipment and FY22 \$4 I	Services Requests: Remaining Balance:	\$ \$				
34 Description Co	<u>odes</u>	\$4 Purpose Cod	<u>les</u>				
B = Back scanning / conversion services		L = land records					
E = Equipment (software & hardware)		N = areas of the court not related to land record					
MR = Maintenance	e of records management system						
MS = Maintenance	e of SRA system						
R = Redaction of s	social security numbers						
0 – Other							

FY22 TTF Budget Request, continued

OPTION 6 – CERTIFICATION FOR \$4 BUDGET REQUEST						
I certify that the amount of my \$4 budget request for proposed automation and technology improvements are in compliance with § 17.1-279, Code of Virginia, and that I continue to provide secure remote access to land records' images.						
I certify to the best of my knowledge and belief that the process utilized to procure any equipment or services for which payment will be made using funds requested herein is in conformance with the Virginia Public Procurement Act, 11-35 et.seq., Code of Virginia.						
I have provided / will provide my local governing body with a copy of all documentation and justification supplied to the Compensation Board.						
Date:	Officer Logon ID:	Officer Name:				

FY22 TTF Budget Request, continued

OPTION 7 - \$1 FUND BUDGET REQUEST FOR EQUIPMENT AND SERVICES								
		Description	Purpose					
Vendor	Line Item Description	Code	Code	Total Cost				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
				\$				
	-							

Total FY22 \$1 Fund Equipment and Services Requests:

\$1 Fund Description Codes

\$1 Fund Purpose Codes

B = Back scanning / conversion services

L = land records

E = Equipment (software & hardware)

MR = Maintenance of records management system

MS = Maintenance of SRA system

R = Redaction of social security numbers

FY22 TTF Budget Request, continued

OPTION 8 – CERTIFICATION FOR \$1 FUND BUDGET REQUEST						
I certify that the amount of my request from the \$1 Fund is based upon a shortfall of \$4 funds, that proposed automation and technology improvements are in compliance with § 17.1-279, Code of Virginia, and that I continue to provide secure remote access to land records' images.						
I certify to the best of my knowledge and belief that the process utilized to procure any equipment or services for which payment will be made using funds requested herein is in conformance with the Virginia Public Procurement Act, 11-35 et.seq., Code of Virginia.						
·		e my local governing body with a copy	of a	all documentation and justification		
supplied to the Compens	atio	on Board.	-			
Date:		Officer Logon ID:		Officer Name:		
OPTION 9 – SUBMIT FY22 TTF BUDGET REQUEST						
I have completed and reviewed my request for \$4 and/or \$1 Fund TTF monies and herein submit my FY22 TTF budget request.						
Date:		Officer Logon ID:		Officer Name:		

END OF TTF BUDGET REQUEST

Instructions: Use Form 5 if you are making a request from \$4 money or the \$1 Fund for the redaction of social security numbers. All back-file redaction requests for existing images must include a **vendor quote**. Note that if the request for back-file or day-forward redaction represents a future period, it is acceptable for the number of images to be estimated based upon a reasonable review of historical annual activity. In the case where a vendor's quote would not be valid for future back-file or day-forward redaction services due to a time lapse in procuring the service, cost shall be based upon the most recent cost per image previously quoted by the vendor for such service. Where no previous quote or cost for such service exists, a current quote must be obtained. In signing and submitting this form, the Clerk agrees that expenses incurred for redaction services utilizing funding budgeted pursuant to this request will not exceed a maximum cost of 4 cents per image.

Form 5	FY22 T	TF Redaction F	Request Form	1			
Date:				FIPS:			
	_1			,			
Clerk's Signature:				Vendor:			
		T	1				
Certified to Provide SRA:	YES	NO	Date :	SRA Provided:			
7.00.00			_				
Back-File		ا	Purpose Code L				Purpose Code N
Historical	Deeds / Deeds	DI. (. (Judgments /	Financing		Wills /	Marriage Licenses
	of Trust	Plats / Maps	Liens	Statements	F	iduciary	/ Court Records
Images #							
Span of Years							
COST per Image Cost \$	I						
Cost \$							
Total Images:			_	Total Cost:	\$		
		Check (✔) all	that apply				
Donahaaa	OCR	OCR	OCR	Software			
Purchase from Vendor:	Software + No Manual	Software + 1 Manual	Software + 2 Manual	purchase			
nom vendor.	Review	Review	Reviews	by Clerk	Accuracy Rate:	%	
	ALL Images	ONLY Flagged	Manual	Manual		_	
Manual Review:	Reviewed	Images Reviewed	Review by Vendor	Review In-House			
		Reviewed	vendor	III-nouse			
D		١	Purpose Code L				Purpose Code N
Day Forward	Deeds / Deeds	Plats / Maps	Judgments /	Financing		Wills /	Marriage Licenses
	of Trust	i iats / Maps	Liens	Statements	F	iduciary	/ Court Records
Images #							
Span of Years							
Cost C					1		T
Cost \$							
Total Images:			_	Total Cost:	\$		
		Check (✓) all	that apply				
	OCR	OCR	OCR	Software			
Purchase	Software + No Manual	Software +	Software +	purchase			
from Vendor:	Review	1 Manual Review	2 Manual Reviews	by Clerk	Accı	%	
		ONLY Flagged	Manual	Manual	71001		
Manual Review:	ALL Images Reviewed	Images	Review by	Review			
		Reviewed	Vendor	In-House	-4	De-I-CI	and Day Farrend
FY22 TTF	\$4 Redaction	Request		Redaction Reque	est		and Day-Forward
Redaction Request:	\$	+	\$	=	=	\$	